

APR 15 1993

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Applications of)	MM Docket No. <u>92-309</u>
)	
LOCAL TELEVISION)	File No. BPCT-911106KF
ASSOCIATES, INC)	
)	
CHARLES FITZGERALD)	File No. BPCT-920114KF
)	
WEBBER/MOORE BROADCASTING)	File No. BPCT-920114KG
COMPANY LIMITED PARTNERSHIP)	
)	
For Construction Permit for a)	
New Commercial Television)	
Station on Channel 35 at)	
Jacksonville, North Carolina)	

To: Administrative Law Judge
Joseph Chachkin

**MASS MEDIA BUREAU'S COMMENTS ON
SUPPLEMENT TO JOINT REQUEST FOR APPROVAL
OF SETTLEMENT AGREEMENT**

1. On February 1, 1993, Local Television Associates, Inc. (LTA), Charles Fitzgerald (Fitzgerald) and Webber/Moore Broadcasting Company Limited Partnership (Webber/Moore) filed a joint motion for approval of settlement. That agreement provided, inter alia, for the merger of the Fitzgerald and LTA applications. On February 19, 1993, the Mass Media Bureau filed comments in support of the joint request. On April 6, 1993, Fitzgerald and LTA filed a supplement to the joint request for approval of settlement agreement. The supplement eliminates the merger of the Fitzgerald and LTA applications and provides for the dismissal of the Fitzgerald application in exchange for monetary consideration to be provided by LTA. On April 14, 1993, Fitzgerald filed a supplement to the joint supplement in which he

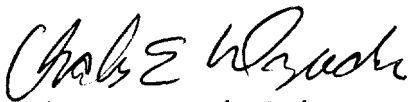
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provides an itemization of the expenses he incurred in preparing and prosecuting his application. The Mass Media Bureau hereby offers the following comments in support of the joint motion for approval of the settlement agreement as supplemented by Fitzgerald.

2. The settlement agreement provides for reimbursement of Fitzgerald's expenses in preparing and prosecuting his application in an amount of up to \$30,000. In addition, the agreement provides for an additional payment of \$6,760 to Fitzgerald should he be unsuccessful in obtaining a refund of his hearing fee. Fitzgerald, in his supplement, has established that the amount he is to be reimbursed by LTA does not exceed his reasonable and prudent expenses. Consequently, the Bureau supports approval of the agreement with the reimbursement specified and a grant of the LTA application with authority to operate its new Jacksonville station as a satellite of its

existing station, WFXI(TV). See the Bureau's comments, filed simultaneously with this pleading, on LTA's request to operate the Jacksonville station as a satellite of WFXI(TV).

Respectfully submitted,
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Chief, Mass Media Bureau


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April 15, 1993

CERTIFICATE OF SERVICE

Michelle C. Mebane, a secretary in the Hearing Branch, Mass Media Bureau, certifies that she has on this 15th day of April 1993, sent by regular United States mail, U.S. Government frank, copies of the foregoing **"Mass Media Bureau's Comments on Supplement to Joint Request for Approval of Settlement Agreement"** to:

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